

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FIREMAN'S FUND INSURANCE COMPANY, :

: Plaintiff,

: -against-

M/V APL EGYPT, APL LIMITED, and
MITSUI O.S.K. LINES, LTD.,

: Defendants.

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GERARD E. LYNCH, District Judge:

A review of court records indicates that the amended complaint in this action was filed on May 31, 2007, and that no proof of service of the summons and complaint has been filed. On December 3, 2007, the Court entered an order directing plaintiff to serve the summons and complaint on the defendants on or before December 20, 2007. The Court warned plaintiff that if service was not effected on or before December 20, 2007, and if plaintiff failed to show cause, in writing, why service had not been made, the complaint may be dismissed for failure to prosecute.

As of January 14, 2008, there is no record of the defendant being served with the summons and complaint, and plaintiff has not provided any reason for failing to effect service. Accordingly, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, it is hereby

ORDERED that the case be dismissed without prejudice for failure to prosecute.

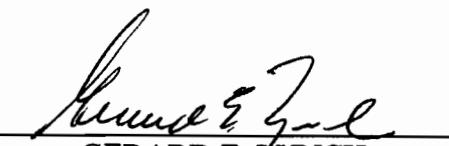
SO ORDERED.

Dated: New York, New York
January 14, 2008

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: <u>1/15/08</u>

07 Civ. 4604 (GEL)

ORDER


GERARD E. LYNCH
United States District Judge